

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAVELL FOX,

Plaintiff,

v.

9:15-cv-390

OFFICER SANTIAGO CRUZ,

Defendant.

VERDICT SHEET FORM

PLEASE NOTE - Each Juror will be provided with a Verdict Sheet Form in order to facilitate understanding of the charge and to aid in deliberations. **HOWEVER, YOUR VERDICT SHOULD BE REPORTED TO THE JUDGE ON ONLY ONE VERDICT SHEET FORM WHICH IS SIGNED BY THE JURY FOREPERSON.** The remaining Verdict Sheet Forms should be returned to the courtroom deputy unsigned. Each question must be answered unanimously.

ALSO, PLEASE CAREFULLY FOLLOW THE BOLD-TYPE DIRECTIONS ACCOMPANYING EACH QUESTION.

1. Did plaintiff prove by a preponderance of the evidence that defendant used excessive force against him in violation of the Eighth Amendment of the United States Constitution on January 27, 2015?

Yes X No _____

Proceed to Question 2.

2. Did plaintiff prove by a preponderance of the evidence that defendant used excessive force against him in violation of the Eighth Amendment of the United States Constitution on February 12, 2015?

Yes X No _____

If you answered "yes" to either Question 1 or Question 2 or "yes" to both questions, proceed to Question 3. If you answered "no" to both Question 1 and Question 2, your deliberations are complete. Please have the foreperson sign and date this verdict form and notify the Marshal that your deliberations are complete.

3. State the amount of damages, if any, which Plaintiff is entitled to recover as a result of the excessive force used against him:

(NOTE: Remember, in the event that Plaintiff has proven his excessive force claim against the Defendant but failed to prove by a preponderance of the evidence that he suffered actual damages, you must award him nominal damages in the amount of \$1.00.)

\$ 5,000 . 00

Proceed to Question 4.

4. Do you find that the Plaintiff has established that he is entitled to punitive damages?

Yes _____ No X

Your deliberations are complete.

**PLEASE REPORT YOUR VERDICT TO THE MARSHAL. PLEASE REMEMBER TO
DATE AND SIGN THIS VERDICT SHEET. THANK YOU.**

10/26/22
Date

REDACTED

Foreperson